reserving paragraphs (b)(5) and (b)(6) to read as follows:

§ 13.65 Glacier Bay National Park and Preserve.

(a) *Commercial Fishing*—(1) *Definitions.* As used in this section:

Commercial fishing means conducting fishing activities under the appropriate commercial fishing permits and licenses as required and defined by the state of Alaska.

Glacier Bay means all marine waters within Glacier Bay, including coves and inlets, north of an imaginary line drawn from Point Gustavus to Point Carolus.

Outer waters means all of the non-wilderness marine waters of the park located outside of Glacier Bay.

(2) *Authorization.* Commercial fishing is authorized in the non-wilderness marine waters of the park in compliance with paragraph (a) of this section, and applicable federal and non-conflicting state laws and regulations.

(3) *Wilderness.* Commercial fishing and associated buying and processing operations within designated wilderness are prohibited. Maps and charts showing designated wilderness areas are available from the Superintendent.

(4) *Outer waters.* Commercial fishing is authorized within the marine outer waters of the park subject to a cooperatively developed State/Federal park fisheries management plan and applicable federal and non-conflicting state laws and regulations.

(5) *Glacier Bay.* (i) *Authorized fisheries.* Commercial fisheries within Glacier Bay are limited only to longline fishing for halibut, pot or ring net fishing for Tanner crab, and trolling for salmon. All other commercial fisheries are prohibited.

(ii) *Limits on participation.* After January 1, 2000, longlining for halibut, pot or ring net fishing for Tanner crab, or trolling for salmon in Glacier Bay is prohibited without a special use permit for access to the fishery issued by the Superintendent. The special use permit for access is non-transferable.

(iii) *Obtaining a special use permit.* The special use permits for access to the three authorized Glacier Bay commercial fisheries are available to fishermen who-(A) Possess a valid commercial fishing permit for one or more of the three fisheries authorized in Glacier Bay; and,

(B) Provide documentation to the Superintendent prior to October 1, 2000, which demonstrates that the individual participated as a permit holder in the Glacier Bay commercial halibut fishery for at least two years during the period 1992—1998, or, in the case of the Glacier Bay salmon or Tanner crab commercial fisheries, participated as a permit holder for at least three years during the period 1989—1998. The documentation provided must include: full name, date of birth, mailing address and phone number; a sworn and notarized personal affidavit attesting to the applicant's history of participation as a permit holder in one or more of the three authorized fisheries within Glacier Bay during the qualifying period; a copy of a current State of Alaska or, in the case of halibut, International Pacific Halibut Commission commercial fishing permit or license that is valid for the area including Glacier Bay; documentation of licensing history for the fishery during the qualifying period; documentation of commercial landings for the fishery during the qualifying periods and within the statistical unit or area that includes Glacier Bay or Icy Straits. Fishermen are requested to provide any additional corroborating documentation that might be available to assist in a timely determination of eligibility for the special use permits for access.

(C) This information should be delivered to the Superintendent, Attn: Access Permit Program, Glacier Bay National Park and Preserve, P.O. Box 140, Gustavus, Alaska 99826.

(D) The Superintendent will make a written determination of eligibility for the special use permit for access based on information provided by the applicant. A copy of this written determination will be provided to the applicant. If additional information is required to make an eligibility determination, applicants will be notified in writing of that need and be afforded an opportunity to provide it.

(iv) *Special use permit denial and appeal procedures.* If an applicant is determined not eligible for a special use permit for access, the Superintendent will provide the applicant with the reasons for the denial in writing within 15 days of the decision. Any applicant adversely affected by the Superintendent's determination may appeal to the Regional Director, Alaska Region, within 180 days. Applicants must substantiate the basis of their disagreement with the Superintendent's determination. The Regional Director will provide an opportunity for an informal meeting to discuss the appeal within 30 days of receiving the applicant's appeal. Within 15 days of receipt of written materials and informal meeting, if requested, the Regional Director will affirm, reverse, or modify the Superintendent's determination and set forth in writing the basis for the decision. A copy of the decision will be forwarded promptly to the applicant and will constitute final agency action.

(v) *Special use permit renewal.* A special use permit for access to an authorized Glacier Bay fishery will be renewed at 5-year intervals for the lifetime of a fisherman who continues to hold a valid commercial fishing permit or license and is otherwise eligible to participate in the fishery under federal and state law.

(vi) *Areas closed to fishing.* Maps and charts showing marine areas of Glacier Bay closed to commercial fishing are available from the Superintendent.

(A) After December 31, 1999 the west arm of Glacier Bay north of 58°50′N latitude is closed to all commercial fishing, with exception of trolling for king salmon during the period October 1 through April 30, in compliance with state commercial fishing regulations.

(B) After December 31, 1999 Tarr Inlet, Johns Hopkins Inlet, Reid Inlet and Geike Inlet are closed to all commercial fishing.

(C) After December 31, 1999 the east arm of Glacier Bay, north of an imaginary line running from Point Caroline through the southern point of Garforth Island and extending to the east side of Muir Inlet, is closed to commercial fishing, with exception of trolling for king salmon south of 58°50′N latitude during the period October 1 through April 30, in compliance with state commercial fishing regulations.

(b) * * *

(5) [Reserved]

(6) [Reserved]

* * * * *

Dated: July 2, 1999.

Donald J. Barry,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 99–19703 Filed 7–30–99; 8:45 am]

BILLING CODE 4310–70–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–6410–3]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the Sand Springs Petrochemical Complex site from the National Priorities List; request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region 6 announces its

intent to delete the Sand Springs Petrochemical Complex Site (Site) from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. The EPA and the State of Oklahoma, acting through the Oklahoma Department of Environmental Quality (ODEQ), have determined that all appropriate response actions under CERCLA have been implemented and that no further cleanup is appropriate. Moreover, EPA and the have determined that response activities conducted at the Site to date have been protective of public health and the environment.

DATES: Written comments concerning this Site must be submitted on or before September 1, 1999.

ADDRESSES: Comments may be mailed to: Ms. Nancy Stonebarger, Community Relations Coordinator, U.S. EPA, Region 6 (6SF–P), 1445 Ross Avenue, Dallas, Texas 75202–2733, Telephone (214) 665–6619 or 1–800–533–3508.

Comprehensive information on this site is available through the EPA Region 6 Public Docket, located at the EPA Region 6 library. It is available for viewing from 8:00 a.m. to 12:00 p.m., Monday through Friday, excluding holidays. The Sand Springs Petrochemical Complex Site Document Repositories are as follows:

U.S. EPA Region 6 Library (6MD–II), 12th Floor, 1445 Ross Avenue, Dallas, Texas 75202–2733, (214) 665–6424 or 665–6427.

Page Memorial Library, 6 East Broadway, Sand Springs, Oklahoma 74063.

Oklahoma Department of Environmental Quality, Attn: Mr. Scott A. Thompson, P.O. Box 1677, Oklahoma City, Oklahoma 73101, (405) 702–5156,, Hours of Operation: 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Shawn Ghose, M.S., P.E., Remedial Project Manager, Mail Code (6SF–AP), U.S. Environmental Protection Agency Region 6 1445 Ross Avenue, Dallas, Texas 75202–2733, Phone: (214) 665–6782 or 1–800–533–3508.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

The U.S. Environmental Protection Agency Region 6 announces its intent to delete the Sand Springs Petrochemical Complex Site (Site), Sand Springs, Oklahoma, from the National Priorities List (NPL), which constitutes appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, and requests comments on the proposed deletion. The EPA identifies sites that appear to present a significant risk to public health or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

The EPA will accept comments concerning this proposal for 30 days after publication of this document in the **Federal Register** and a major local newspaper of general circulation at or near the site (newspaper of record).

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses the procedures that EPA is using for this action. Section IV discusses the history of this Site and explains how this Site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate to protect public health or the environment. In making such a determination pursuant to § 300.425(e), the EPA will consider, in consultation with the State, whether any of the following criteria have been met:

(a) Section 300.425(e)(1)(i): Responsible parties or other persons have implemented all appropriate response actions required;

(b) Section 300.425(e)(1)(ii): All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or

(c) Section 300.425(e)(1)(iii): The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

III. Deletion Procedures

Deletion of a site from the NPL does not itself create, alter, or revoke any person's rights or obligations. The NPL is designed primarily for informational purposes and to assist the EPA management.

Upon determination that at least one of the criteria described in § 300.425(e) of the NCP has been met, EPA may formally begin deletion procedures. The following procedures were used for the intended deletion of the Site from the NPL:

(1) The EPA consulted with the State of Oklahoma on this proposed deletion from the NPL prior to developing this notice of intent for deletion.

(2) The EPA provided the State of Oklahoma at least 30 working days for review of this notice of intent for deletion prior to its publication in the **Federal Register**, and the State of Oklahoma, through the Oklahoma Department of Environmental Quality (ODEQ), concurred with this proposed deletion.

(3) Concurrently with publication of this notice of intent for deletion a notice is being published in a newspaper of record and is being distributed to appropriate Federal, State, and local officials, and other interested parties. Both documents announce a 30-day public comment period concerning this proposed deletion, which commences on the date of publication of this document in the **Federal Register**.

(4) The EPA has placed copies of information supporting the proposed deletion in the information repositories listed above, which information is available for public inspection and copying. The notice in a newspaper of record also announces the availability of this notice of intent for deletion. The public is asked to comment on the EPA's proposal to delete the Site from the NPL. All critical documents needed to evaluate EPA's decision are listed on the Deletion Docket and are available for review and copying at the information repositories.

(5) Upon completion of the 30-day public comment period, the EPA will evaluate the comments and all new data submitted before issuing a final decision on the proposed deletion. The EPA will prepare a responsiveness summary that will address concerns presented by comments and new data and respond to each significant comment and all significant new data submitted during the comment period. Such responsiveness summary will be included in the final deletion package. Members of the public are encouraged

to contact the EPA to obtain a copy of the responsiveness summary.

(6) If, after review of all public comments, the EPA determines that the deletion from the NPL is appropriate, the EPA will publish a final notice of deletion in the **Federal Register**. The deletion of the Site does not actually occur until a final notice of deletion is published in the **Federal Register**. The EPA will place the final deletion package in the information repositories listed above once the final notice of deletion has been published in the **Federal Register**.

IV. History and Basis for Intended Site Deletion

The following summary provides the EPA's rationale for deleting the Sand Springs Petrochemical Complex Site from the NPL.

Site History

The Site was formerly operated as a petroleum refinery beginning in the early 1900s. The refinery was acquired by the Sinclair Oil Corporation in the early 1930s and continued to operate until 1948 when most of the refinery operations were shut down. Dismantling of the inactive portions of the refinery commenced shortly thereafter. All remaining refining operations were shut down in 1952. By October 1953, Sinclair had conveyed all but approximately 38 acres of the refinery property to the Sand Springs Home. In 1969, Sinclair merged with the Atlantic Richfield Company (ARCO), and the 38-acre tract of land was absorbed in the merger.

From 1964 through 1983, several solvent and oil recycling facilities operated on a portion of the Site. The area encompassing the recycling operations is now referred to as the ''Glen Wynn'' portion of the site. The Site (Figure 1) was proposed for inclusion on the Superfund National Priorities List (NPL) in September 1983, and the Site was officially added to the NPL in June 1986.

After the addition to the NPL, the Site was divided into two operable units (OUs): the Source Control OU and the Main Site OU (groundwater and soils).

The remedial investigation/feasibility study (RI/FS) for the Source Control OU was completed in 1987. The Source Control OU consists of eleven areas consisting of surface liquids, sludges, and heavily contaminated soils (Figure 2). The spray ponds were later determined to require no further action.

Records of Decision

Two Records of Decision (ROD) were developed for the Sand Springs Petrochemical Complex. The first was issued on June 28, 1987, for the Main Site OU and the second on September 29, 1987, for the Source Control OU.

The first ROD was issued for the groundwater for the main site, and a no action alternative was selected because the endangerment assessment concluded that, although the groundwater was minimally contaminated, it was not used for drinking water, and samples from the Arkansas River indicated no contamination. This remedy required placement of appropriate warning signs, restriction of access, and sampling and analyses of the groundwater and the Arkansas River for a period of 30 years.

The second ROD was issued to control the sources of contamination at the Site. The original second ROD required on-site incineration. However, the State did not concur with this proposal, and ARCO proposed a privately financed remedy for the Site. The ROD was modified to require that the sludges from the North and South Glen Wynn Lagoons (Figure 2) be excavated and thermally destructed; other sludges from the site be excavated, solidified, and placed in a hazardous waste cell constructed on site and meeting the requirements of Subtitle C of the Solid Waste Disposal Act; and that the Potentially Responsible Parties (PRPs) remain liable for the Site and all associated maintenance and monitoring. Included in this ROD were the development of an acceptable stabilization method, repair or restoration of the cell to prevent migration, and destruction or treatment of the cell's contents if monitoring showed that the solidification remedy had failed.

The EPA determined that these alternatives are protective of human health and the environment, attain Federal and State requirements that are applicable or relevant and appropriate, are cost effective compared to equally environmentally protective alternatives, and utilize permanent solutions and alternative treatment technologies to the maximum extent practicable.

In October 1990 the EPA, ODEQ, and ARCO entered into a consent decree to design and construct the source control remedy. The remedy chosen for the source control required that materials from the two impoundments (North and South Glen Wynn Lagoons) be excavated and sent off-site for incineration.

In 1991 ARCO conducted a chemical stabilization and solidification (CSS) field demonstration to determine the treatment effectiveness of several different CSS technologies. In November 1992, ARCO selected a quicklime-based CSS process to treat Site wastes. The EPA approved the use of the CSS process in February 1993, at which time ARCO commenced remedial design activities.

Remedial action activities began in late 1993 with the start of construction of an on-site Resource Conservation and Recovery Act (RCRA) type landfill. A transportable CSS treatment unit was moved to the Site in the spring of 1994, at which time the excavation, neutralization, and treatment of Site wastes started.

Remediation Activities

ARCO managed all the remediation activities. ARCO contracted with Morrison Knudsen Corporation to perform the design and provide quality assurance during the remedial action. The prime contractor for the remedial action was U.S. Pollution Control, Inc. with Sound/Epic providing the transportable treatment unit. The U.S. Army Corps of Engineers, Tulsa District, provided oversight for the EPA during the remedial investigation, remedial design, and remedial action and will continue to provide oversight during the operation and maintenance phase.

The remediation for the Source Control OU was completed in phases (see Figures 2 and 3).

Tank Bottom Pit

The Tank Bottom Pit (formerly called the Chemlink Waste Pits) remediation started on September 4, 1991. The operations conducted as part of the remediation were setting up the decontamination area, constructing the haul road, excavating the sludge and underlying one foot of material, sampling of remaining material, and backfilling and revegetating the area. Approximately 3,650 cubic yards of material were excavated and placed in the Small Acid Sludge Pit. These materials were later treated with other sludge pits as noted below.

Glen Wynn Area

Remedial activities for the Glen Wynn portion of the Site commenced in August 1992. The remediation included the following 6 subsites: North Lagoon, South Lagoon, Drum Area, T–5 Area, L-Shaped Area, and Pump House.

The Pump House contained barrels of soil and water and plastic bags of personal protective equipment from previous investigations at the Site. Soils in two of the barrels were determined to be Glen Wynn wastes and were incinerated with other Site wastes. All waste materials on the Glen Wynn subsite were tested for chlorine content. Those wastes that exceeded the chlorine

criteria were considered Glen Wynn wastes. All water was treated onsite at the temporary wastewater treatment plant. All plastic bags of personal protective equipment were transported to the Lone Mountain Hazardous Waste facility. The remaining barrels of soil were later deposited at the northeast end of the Large Acid Sludge Pit to be treated with main site wastes in mid-1994. The empty barrels were cleaned, crushed, and transported to an off-site disposal facility.

Remediation of the other subsites consisted of excavating contaminated material and transporting this material to off-site hazardous waste incinerators. After excavated areas tested clean, except for the contaminated lagoon soils at depths greater than indicated by the consent decree workplan, the excavations were backfilled and compacted with either stockpiled soil from the subsites (if cleanup criteria was met) or with clean fill from off-site sources. Contaminated debris, generated during the remediation, were transported to the Lone Mountain Hazardous Waste facility in northwest Oklahoma.

The remaining contaminated lagoon soils are at depths greater than indicated by the consent decree workplan. Borehole samples, down to groundwater level, showed that approximately 700 cubic yards of contaminated soil remained in the South Lagoon and its peripheral area, and 300 cubic yards remained in the North Lagoon. In accordance with the EPA's requirements, the area of the lagoons were regraded to prevent ponding, and groundwater is being monitored.

Final site grading and seeding occurred in December 1992.

Other Sludge Pits

Remedial activities for the other sludge pits were included in the Source Control OU cleanup. These include the wastes in the Large and Small Acid Sludge Pits, the River Acid Sludge Pit (Figure 2), the contaminated soils adjacent to these pits, the Surface Impoundment between the Large and Small Acid Pits, the Round River Pit, the Levee Pit, and the Con-Rad Sludge Area. The last three pits were discovered during the second phase investigation. The Spray Ponds (east and west) were also discovered at this time, but were not included in the consent decree workplan.

The operations conducted as part of the remediation were neutralizing the sludge and underlying one foot of material by mixing the material with a lime slurry, excavating the neutralized material, sampling of remaining material, neutralizing and removing additional material containing greater than 100 ppm benzo(a)pyrene, treating approximately 206,500 cubic yards of stabilized waste in the Thermal Treatment Unit (TTU) to achieve the physical and chemical properties required by the ROD, placing the treated material in the landfill and covering with a RCRA-type cap, and backfilling and revegetating the area (Figure 3).

Main Site OU

Remediation activities for the Main Site OU consisted of the placement of warning signs, access restriction, and placement of seven new monitoring wells. Two of the wells, placed on the dike south of the landfill, were installed prior to construction of the landfill, and the other five were installed after its completion in August 1995 (Figure 3). The wells have been sampled and analyzed for the constituents listed in the consent decree workplan for four quarterly sampling rounds, two semi-annual sampling rounds, and one annual sampling round. These analyses have not shown a degradation of the groundwater which would require a further response action.

A bibliography of reports relevant to the review of this Site is attached (Attachment 1). These documents along with others are available at the information repositories listed above.

The EPA, with the concurrence of the State of Oklahoma, has determined that all appropriate CERCLA response actions for the Site have been completed. Therefore, the EPA makes this proposal to delete the Site from the NPL.

Attachment 1: Sand Springs Petrochemical Complex Site Documents

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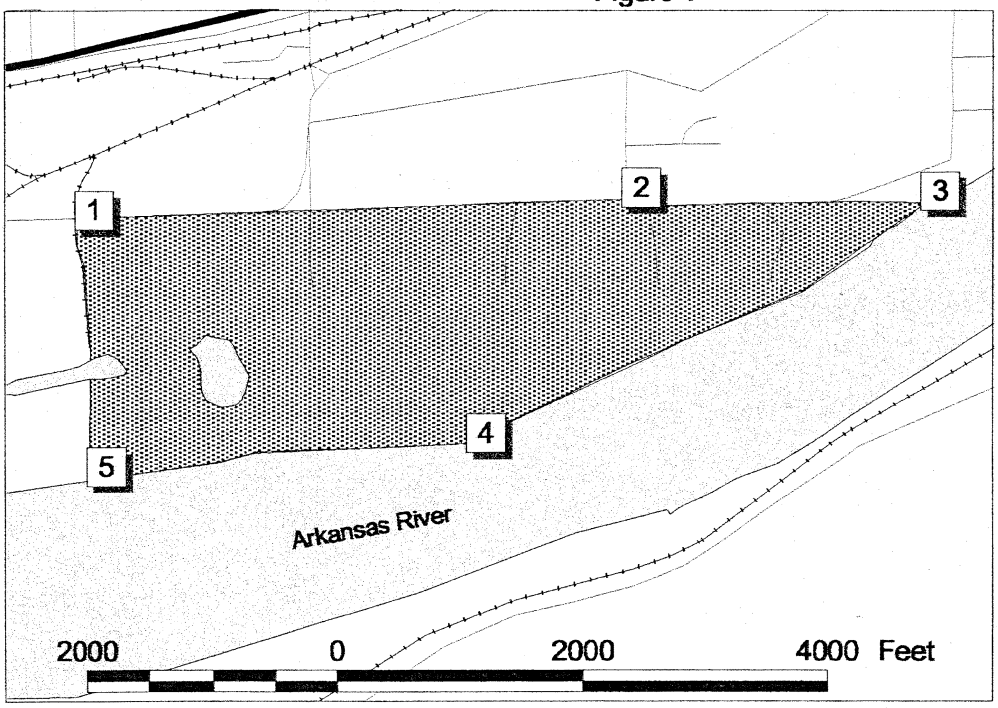
BILLING CODE 6560–50–P

Sand Springs Petrochemical Complex

Sand Springs, Tulsa County, Oklahoma

Figure 1



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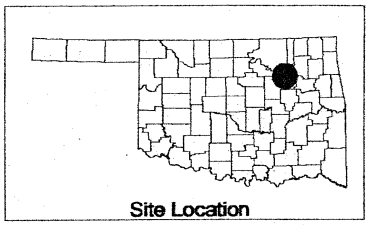
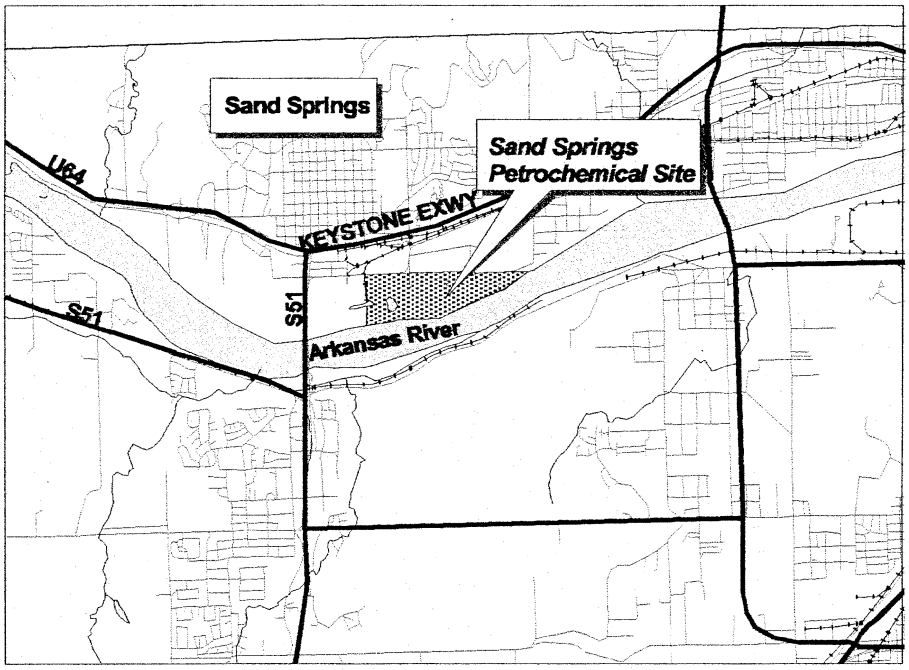
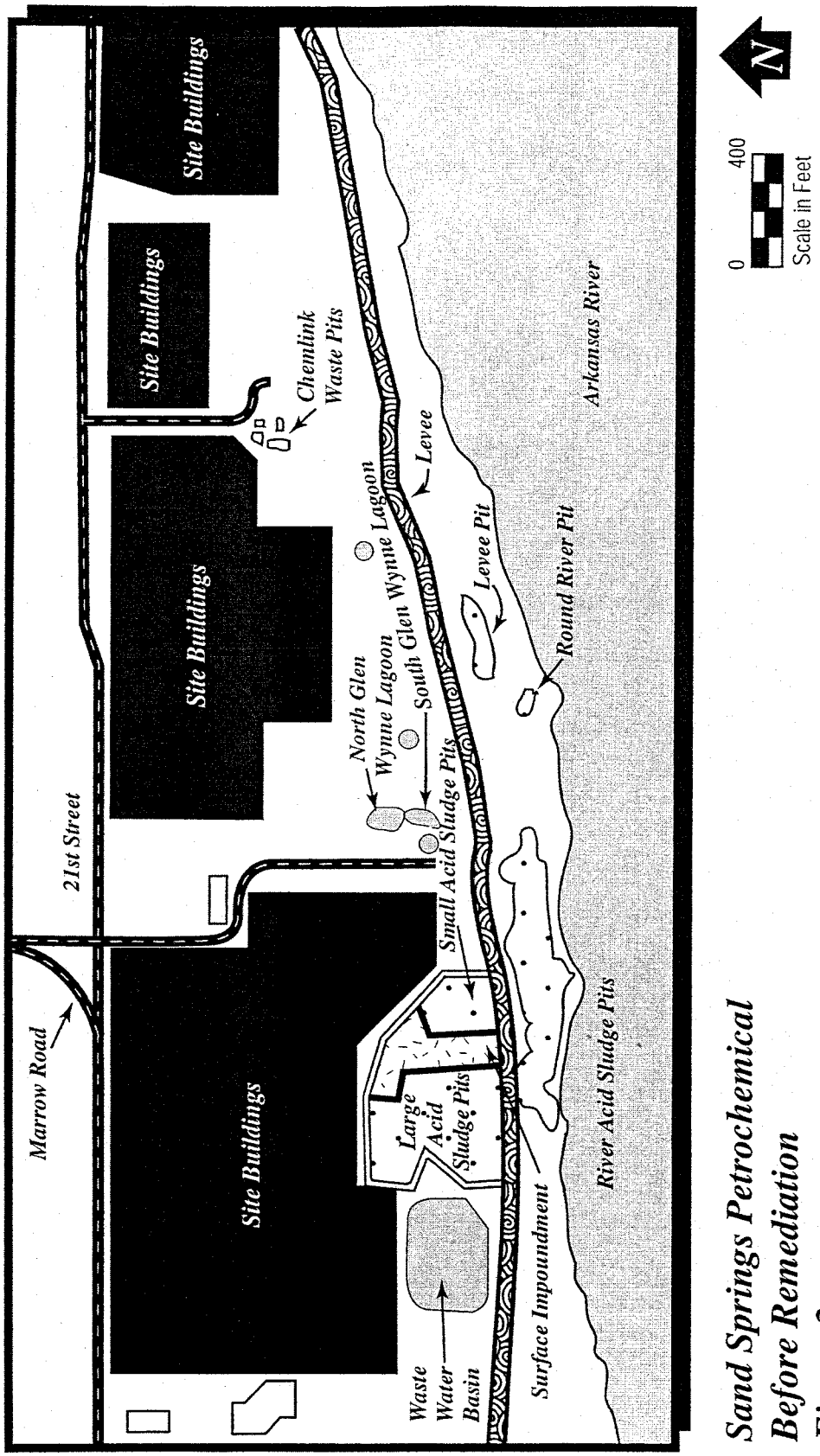
3. -96.0839, 36.1335
4. -96.0968, 36.1284
5. -96.1070, 36.1278



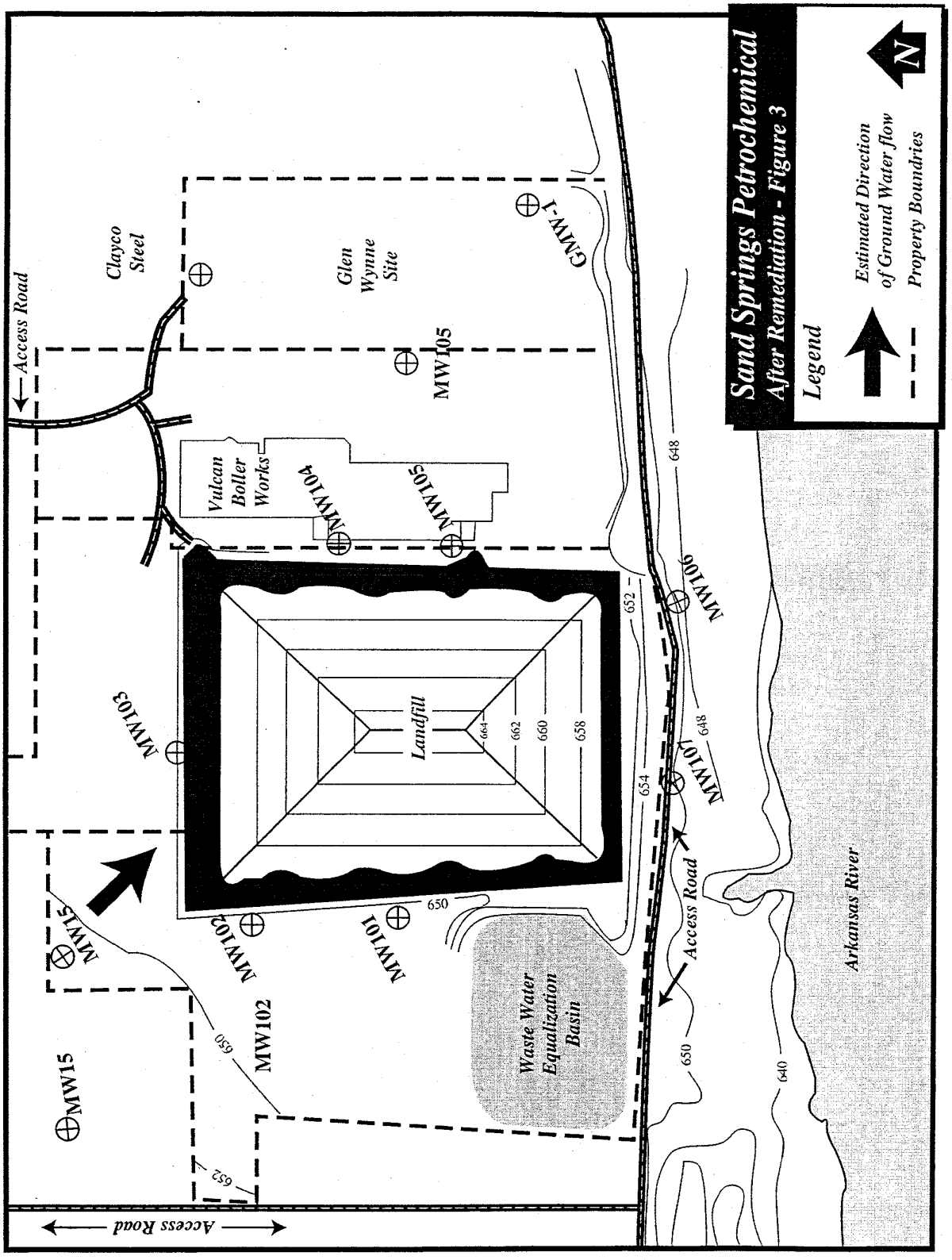


Legend

- Major Highways
- Roads / Highways
- Rail Roads
- Rivers / Streams
- Water Boundaries
- State Boundaries
- SAND SPRINGS PETROCHEMICAL



Sand Springs Petrochemical
Before Remediation
Figure 2



Dated: June 2, 1999.

Myron O. Knudson,

Acting Regional Administrator, Region 6.

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